

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Case No. 23-cr-20506

Plaintiff,

F. Kay Behm

v.

United States District Judge

MATTHEW GREEN,

Defendant.

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**ORDER STRIKING REPRESENTED DEFENDANT’S MOTION (ECF No. 13)**

Before the court is Defendant Matthew Green’s motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(1). (ECF No. 13). Defendant is currently represented by counsel<sup>1</sup> and, accordingly, his counsel must file any motions on his behalf. *See e.g., United States v. Hamilton*, 2018 WL 10075601, at \*1 (E.D. Mich. Jan. 11, 2018) (“It is well-established law in the Sixth Circuit that a criminal defendant cannot proceed with hybrid representation, whereby he asserts both the right to proceed pro se and the right to counsel – he must choose one or the other.”). As part of the latitude accorded to district courts to manage their own dockets, courts may bar filings submitted by an individual when that individual is

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<sup>1</sup> Attorney Charles O. Longstreet has been representing Defendant since October 20, 2023.

represented by counsel. *See United States v. Agofsky*, 20 F.3d 866, 872 (8th Cir. 1994) (finding no error in the court's refusal to consider pro se motion where defendant was represented by counsel.). Defendant's counsel has **seven days** in which to indicate on the docket whether he is adopting this request. If counsel does not adopt the request, it will be stricken from the record as improvidently filed.

**SO ORDERED.**

Date: December 6, 2023

s/ F. Kay Behm

F. Kay Behm

United States District Judge